

§ 401.92

33 CFR Ch. IV (7-1-04 Edition)

§ 401.92 Wintering and lying-up.

No vessel shall winter within the Seaway or lie-up within the Seaway during the navigation season except with the written permission of the Corporation or the Manager and subject to the conditions and charges that may be imposed.

[39 FR 10900, Mar. 22, 1974, as amended at 65 FR 52915, Aug. 31, 2000]

§ 401.93 Access to Seaway property.

(a) Except as authorized by an officer, no person shall load or unload goods on property of the Corporation or the Manager.

(b) Except as authorized by an officer or by the *Shore Traffic Regulations or its successor*, no person shall enter upon any land or structure of the Corporation or the Manager or swim in any Seaway canal or lock area.

[39 FR 10900, Mar. 22, 1974, as amended at 65 FR 52915, Aug. 31, 2000]

§ 401.94 Keeping copies of regulations.

A copy of these Regulations (subpart A of Part 401), a copy of the vessel's latest Ship Inspection Report, and Seaway Notices for the current navigation year shall be kept on board every vessel in transit.

[61 FR 19552, May 2, 1996]

§ 401.95 Compliance with regulations.

The master or owner of a vessel shall ensure that all requirements of these Regulations applicable to that vessel are complied with.

(68 Stat. 93-96, 33 U.S.C. 981-990, as amended and secs. 4, 5, 6, 7, 8, 12 and 13 of sec. 2 of Pub. L. 95-474, 92 Stat. 1471)

[45 FR 52380, Aug. 7, 1980]

NAVIGATION CLOSING PROCEDURES

§ 401.96 Definitions.

In § 401.97:

(a) *Clearance date* means the date designated in each year by the Corporation and the Manager as the date by which vessels must report at the applicable calling in point referred to in § 401.97(c) for final transit of the Montreal-Lake Ontario Section of the Seaway;

(b) *Closing date* means the date designated in each year by the Corporation and the Manager as the date on which the Seaway is closed to vessels at the end of the navigation season;

(c) *Closing period* means the period that commences on the date designated in each year by the Corporation and the Manager as the date on which the closing procedures in § 401.97 apply and that ends on the closing date;

(d) *Montreal-Lake Ontario Section of the Seaway* means the portion of the Seaway between the Port of Montreal and mid-Lake Ontario;

(e) *Wintering vessel* means a vessel that enters the Seaway upbound after a date designated each year by the Corporation and the Manager and transits above Port Colborne.

(68 Stat. 92-97, 33 U.S.C. 981-990, as amended and sec. 104, Pub. L. 95-474, sec. 2, 92 Stat. 1472; 68 Stat. 93-96, 33 U.S.C. 981-990, as amended and secs. 4, 5, 6, 7, 8, 12 and 13 of sec. 2 of Pub. L. 95-474, 92 Stat. 1471)

[47 FR 51124, Nov. 12, 1982, as amended at 65 FR 52915, Aug. 31, 2000]

§ 401.97 Closing procedures.

(a) No wintering vessel shall return downbound through the Montreal-Lake Ontario Section of the Seaway in the same navigation season in which it entered the Seaway unless the transit is authorized by the Corporation and the Manager.

(b) No vessel shall transit the Montreal-Lake Ontario Section of the Seaway during the closing period in a navigation season unless

(1) It reports at the applicable calling in point referred to in paragraph (c) of this section on or before the clearance date in that navigation season; or

(2) It reports at the applicable calling in point referred to in paragraph (c) of this section within a period of 96 hours after the clearance date in that navigation season, it complies with the provisions of the agreement between Canada and the United States, known as the St. Lawrence Seaway Tariff of Tolls and the transit is authorized by the Corporation and the Manager.

(c) For the purposes of paragraph (b) of this section, the calling in point is,

(1) In the case of an upbound vessel, Cape St. Michel; and